

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

CRIMINAL CASE NO. 1:09cr25

UNITED STATES OF AMERICA,)

)

)

vs.)

ORDER

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)

SAMUEL ALAN SWAYNGIM.)

)

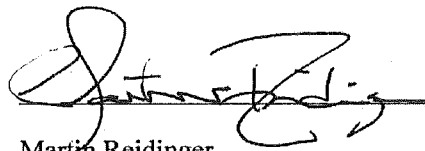
THIS MATTER is before the Court on the Defendant's Motion for Sentence Reduction [Doc. 335] and Motion to Grant Relief [Doc. 336].

On June 18, 2008, the Defendant was sentenced to 70 months incarceration in connection with his conviction for conspiracy to possess with intent to distribute methamphetamine. [Doc. 304]. In the pending motions, the Defendant asks that his sentence be reduced to home confinement so that he may care for his ailing wife. While the Court may have great sympathy for the Defendant considering his family's circumstances, he has stated no grounds that are cognizable in the law for a reduction in his sentence. The Defendant has cited no authority for such extraordinary relief. Defendant's motion is more in the nature of a request for commutation or clemency, which would be

executive decisions, not judicial. For these reasons the Defendant's motion must be denied.

IT IS, THEREFORE, ORDERED that the Defendant's Motion for Sentence Reduction [Doc. 335] and Motion to Grant Relief [Doc. 336] are hereby **DENIED**.

Signed: January 12, 2012


Martin Reidinger
United States District Judge

